

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ORACLE AMERICA, INC.,	)	Case No.: 11-CV-01043-LHK
	)	Related Case No: 11-CV-02135-LHK
Plaintiff,	)	
v.	)	ORDER GRANTING
	)	ADMINISTRATIVE MOTION TO FILE
INNOVATIVE TECHNOLOGY	)	UNDER SEAL
DISTRIBUTORS, INC.,	)	
	)	(re: dkt. #109, 119)
Defendant.	)	

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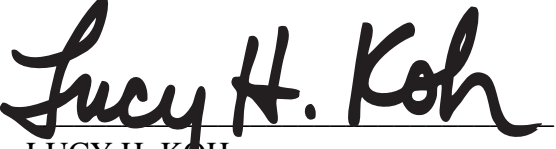
On February 1, 2012, Plaintiff filed an Administrative Motion to File Under Seal Oracle's Renewed Motion to Compel Production of ITD's General Ledger ("Sealing Motion"), seeking to file under seal the following: (1) portions of Oracle's letter brief in support of Oracle's motion to compel production of ITD's general ledger; (2) Exhibits A through C attached to the Declaration of Robert Friedman in Support of Oracle's Renewed Motion to Compel Production ("Friedman Declaration"); and (3) portions of the Declaration of James Pampinella in Support of Oracle's Renewed Motion to Compel Production ("Pampinella Declaration"). *See* ECF No. 109. Because these documents are designated confidential by ITD, the Court ordered ITD to file a declaration in compliance with Local Rule 79-5(d) stating the basis for asserting each document's confidentiality. *See* ECF No. 118. Pursuant to that Order, ITD filed a response, ECF No. 119, supported by the Declaration of Vincent James Spinella ("Spinella Decl."), ECF No. 119-1.

Where, as here, a party seeks to seal documents attached to a non-dispositive motion, the Ninth Circuit requires a showing of good cause to justify the sealing of those documents. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006). In addition, the Civil Local Rules of this Court require that all requests to file under seal be “narrowly tailored to seek sealing only of sealable material.” Civ. L. R. 79-5(a). ITD claims that good cause exists to seal the material requested because the letter brief in support of the Motion to Compel, the materials attached to Exhibits A to C of the Friedman Declaration, and the Pampinella Declaration all contain confidential information concerning ITD’s internal financial statements, financial condition, its customer and lender relationships, expenditures, and employee compensation. *See Spinella Decl.* ¶¶ 3, 5-8. ITD further claims that it keeps this information confidential and would be harmed if the information were to be made publicly available. *Id.*

The Court agrees that the portions of the letter brief, Pampinella Declaration, and the exhibits attached to the Friedman Declaration that Oracle seeks to file under seal consist of such confidential information, and furthermore finds that Oracle has narrowly tailored its proposed redactions to encompass only such confidential information. Thus, the Court finds good cause to seal these documents, and GRANTS Oracle’s motion to file under seal.

**IT IS SO ORDERED.**

Dated: April 5, 2012

  
LUCY H. KOH  
United States District Judge